

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 514 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE N.J.PANDYA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

RABARI JAGA MEPA

Versus

RABARI MALA BHACHA

Appearance:

MR YS MANKAD for Petitioner

MR CM KELLA for Respondent No. 1

MR. K.P. RAVAL, A.P.P. for Respondent No. 8

CORAM : MR.JUSTICE N.J.PANDYA

Date of decision: 24/09/97

ORAL JUDGEMENT

View taken by the trial court cannot be said to be without any basis nor can be said to be unwarranted looking to the material on record. Incidentally it may be mentioned that the State had also chosen to file Criminal Appeal No. 1441 of 1984 which came to be disposed of on 12.7.1985. No doubt, this disposal may not be on merits because there being delay of 44 days,

application for condonation was sought to be filed which was 461/85 and that came to be dismissed by the court on merits.

Be that as it may. When there are two views possible, though the original complainant/petitioner may have some arguable points, that is not required to be gone into. The net result, therefore, is that the order of acquittal passed by the trial court is not required to be interfered with. The revision application is, therefore, rejected. Rule is discharged.

(ers)